

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FABIAN SANTIAGO,

Plaintiff,

v.

JEREMY ANDERSON,

Defendant.

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Case No. 05-cv-00512-DGW

ORDER

Pending before the Court is Plaintiff's Motion Requesting a Stay for the Bill of Costs (Doc. 328). For the reasons stated below, Plaintiff's Motion is **DENIED as MOOT**.

Plaintiff filed this action pursuant to 42 U.S.C. § 1983 alleging that Defendant Jeremy Anderson violated his First and Eighth Amendment Rights while he was incarcerated at the Pontiac Correctional Center (Doc. 1). After a two-and-a-half day jury trial, the jury rendered a verdict in favor of Defendant on January 26, 2011 (Doc. 310). Thereafter, final judgment was entered (Doc. 312). Plaintiff filed a notice of appeal on January 26, 2011 (Doc. 313), and Defendant timely filed a bill of cost for \$1,896.02 on January 28, 2011 (Doc. 321). On January 31, 2011, the Clerk of the Court notified Plaintiff that pursuant to Local Rule 54.2, any objection to Defendant's bill of costs must be filed on or before February 11, 2011 (Doc. 322). Plaintiff did not file an objection to Defendant's bill of costs by February 11, 2011. Rather, Plaintiff filed a Motion Requesting a Stay of Bill of Costs on February 17, 2011 (Doc. 328), six days after his objection was due. On February 17, 2011, the Clerk of the Court taxed costs against Plaintiff in the amount of \$1,896.82 (Doc. 329).

Since no objections were filed within the fourteen-day time period set forth in Local Rule 54.2, the Clerk of the Court appropriately taxed costs against Plaintiff. Accordingly, Plaintiff's Motion Requesting a Stay of the Bill of Costs is untimely, and therefore, **DENIED as MOOT**.

IT IS SO ORDERED.

DATED: March 22, 2011



DONALD G. WILKERSON
United States Magistrate Judge